

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

10 CRIM 49

UNITED STATES OF AMERICA

: SEALED
: INDICTMENT

-v.-

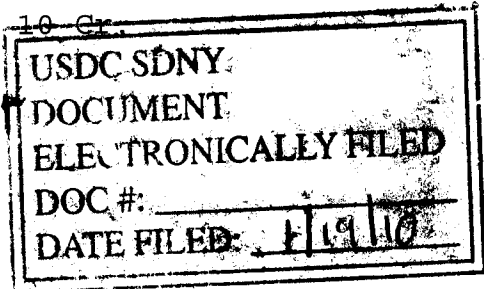
:

JOSEPH Z. LIFSCHITZ,

:

Defendant.

:



----- x
COUNTS ONE THROUGH FOUR

The Grand Jury charges:

1. On or about the dates set forth below, in the Southern District of New York and elsewhere, JOSEPH Z. LIFSCHITZ, the defendant, unlawfully, knowingly and willfully, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, for the purpose of executing such scheme and artifice and attempting so to do, did place in post offices and authorized depositories for mail matter, matters and things to be sent and delivered by the Postal Service, and did deposit and cause to be deposited matters and things to be sent and delivered by private and commercial interstate carriers, and did take and receive therefrom such matters and things, and did knowingly cause to be delivered by mail and such carrier according to the direction thereon, and at the place at which it was directed to be delivered by the person to whom it was addressed, any such matter or thing, to wit,

RECEIVED

LIFSCHITZ solicited and received through the mail checks, from individuals, that LIFSCHITZ represented would be invested through LIFSCHITZ's company, Barrington Asset Management, LLC, which LIFSCHITZ then used for other purposes, and LIFSCHITZ sent and received through the mail documents related to his purported investment of the funds of others.

COUNT	APPROXIMATE DATE OF MAILING	FROM	TO	NATURE OF MAILING
One	9/21/06	New City, NY 10956	Brooklyn, NY 11230	Operating Agreement
Two	10/11/06	Brooklyn, NY 11230	New City, NY 10956	Check for \$50,000
Three	10/11/06	Cedarhurst, NY 11515	New City, NY 10956	Check for \$25,000
Four	10/17/07	Israel	600 Columbus Avenue, NY, NY 10024	Check for \$8,000

(Title 18, United States Code, Sections 1341 and 2.)

FORFEITURE ALLEGATION

2. As the result of committing the offenses in violation of Title 18, United States Code, Section 1341, as alleged in Counts One through Four of this Indictment, JOSEPH Z. LIFSCHITZ, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 982, any property constituting, or derived from, proceeds obtained directly or indirectly as a result of such violations, including but not limited to at least \$208,000 in United States currency, in that such sum in aggregate

is property representing the amount of proceeds obtained as a result of the offenses charged in Counts One through Four of this Indictment.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(1) cannot be located upon the exercise of due diligence;


(2) has been transferred or sold to, or deposited with, a third person;

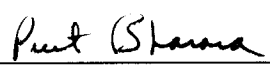
(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without difficulty; it is the intent of the United States, pursuant to 18 U.S.C. § 982(b), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 982(b))


FOREPERSON


PREET BHARARA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSEPH Z. LIFSCHITZ,
Defendant.

SEALED INDICTMENT

10 Cr.

(18 U.S.C. §§ 1341, 982(b).)

PREET BHARARA
United States Attorney.